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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN BURUNDI

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1040 (1996) of 29 January 1996, in which I was requested to keep the Council closely informed, including on the technical security mission that I had sent to Burundi, and to submit a full report to the Council by 20 February on the situation, covering the progress of my efforts to facilitate a comprehensive political dialogue. I was also requested, in consultation as appropriate with the Organization of African Unity (OAU) and with Member States concerned, to consider what further steps of a preventive nature might be necessary in order to avoid a further deterioration of the situation, to develop contingency plans as appropriate and to include them in my report to the Council.

2. The present report follows a series of oral reports to the Council by my Personal Representative. On 22 January, I myself reported to the Council on the situation in Burundi. I also addressed two letters to the President of the Council on 29 December 1995 (S/1995/1068) and 16 January 1996 (S/1996/36).

II. POLITICAL SITUATION

3. In all of these communications and briefings, I underlined the seriousness of the political and security situation in Burundi, which is defined by visceral fears and brutal struggles for power. Much of the Tutsi minority, historically dominant, lives with the phobia of its physical elimination, while the Hutu majority demands proper political representation. The 1994 genocide in Rwanda has heightened the fears of the minority, leading extremist elements to undertake ruthless actions against Hutu populations. Hutu extremists, in turn, are reinforced and supported from outside the country by some of the perpetrators of the Rwandan genocide. In such an environment, the voices of moderation are being drowned out, silenced or eliminated altogether.

4. December 1995 was characterized by widespread violence and by attempts by members of the opposition, with support from among the military, to remove from office the President of Burundi, Mr. Sylvestre Ntibantunganya. On 12 December,

the General Director of Burundi's National Institute of Social Security, a member of the majority party, the front pour la démocracie au Burundi (FRODEBU), and his son were killed when unidentified assailants tossed a grenade inside their car. On 19 and 20 December, security forces allegedly killed a Hutu member of Parliament, and two other Hutu politicians were murdered in separate incidents. Around the same time, 27 people died in clashes between the military and insurgents in the Murwi and Buganda communes, while over 30 were killed near Bujumbura. On 22 December, the Governor of the northern Ngozi province was assassinated. Violence was also directed against members of the international humanitarian community, leading me to dispatch the United Nations High Commissioner for Refugees, Mrs. Ogata, as my Special Envoy, to the country (see sect. IV below).

5. As regards the attempts to depose the President, differences on how to achieve this objective helped to prevent the crisis from worsening: while some preferred a constitutional approach to remove him, others favoured an outright overthrow. The opposition had hoped that the Framework for Concerted Action, established on 13 November 1995 in accordance with the convention on governance (S/1995/190, annex), would provide the forum to accelerate the removal of the President. That mechanism was supposed to start its work on 26 December 1995; it was feared that discussions in the context of the Framework would be used to demonstrate that both the President and the Prime Minister, Mr. Antoine Nduwayo, had failed to implement the Convention, thereby justifying their removal. However, FRODEBU refused to participate in the Framework meetings in protest against the recent assassinations and harassment of some of their officials.

6. At the beginning of January 1996, my Special Representative, Mr. Marc Faguy, confirmed that the influence of moderate political forces in Burundi continued to diminish. In his New Year's address, the President called upon institutions, State services and organizations to work together to overcome the phenomena of fear, violence and uncertainty. For his part, the Prime Minister publicly warned that the ideology of exclusion and genocide was gaining ground.

7. The situation was exacerbated when Tutsi extremists called a "dead city" operation, which started in Bujumbura on 15 January 1996. Three days earlier, a number of civil groups and associations under the influence of political parties not represented in the National Assembly had called on the population to stop working until the President left office. Their attempts to involve the minority party, the Union pour le progrès national (UPRONA), in the "dead city" operation did not materialize as expected, thanks in large measure to the strong intervention of the Prime Minister and the Minister of Defence. Intimidation, however, continued despite the fact that some of the extremist leaders were put under house arrest or detained. On 16 January, the military introduced countermeasures to contain the demonstrations.

8. While the situation in Bujumbura has now returned to a state of uneasy peace, security conditions in the countryside remain volatile. Armed Hutu groups have concentrated their actions against strategic targets, sometimes with dire consequences for the population. A recent attack on electrical power pylons near Bujumbura, for example, seriously affected the water supply to the city. Heavy fighting has been reported in northern areas of Burundi, uprooting

once more tens of thousands of people and increasing the burden on both humanitarian organizations and the neighbouring countries.

9. In recent days, however, the situation in Burundi has been somewhat calmer. The Government is currently engaged in its third campaign for the return of peace, the intensification of which could augur well for the future. The efforts of the international community, including my Special Representative, and the adoption by the Security Council of resolution 1040 (1996) have helped to reduce tensions and encourage dialogue. In addition, the welcome recent improvement of coordination between the President and the Prime Minister should stimulate other activities that will contribute to the promotion of peace. It should also convey the message to the extremists that most people in Burundi have had enough of violence and feel it is time for them to participate in the long-awaited national debate. These relatively positive signs should not, however, be taken to mean that a solution is imminent or that the international community can afford to relax its efforts to avert catastrophe.

III. PROMOTING DIALOGUE

10. As I informed the Council in my letter to the President dated 16 January 1996 (S/1996/36), it is unrealistic to expect a handful of small-scale measures to have any real impact on the fundamental problems of Burundi. That was why I continued to believe that the international community needed to launch a major initiative to prevent another humanitarian tragedy in the subregion, as well as to promote a dialogue embracing all the elements of the Burundian political spectrum. I therefore instructed my Special Representative to explore urgently with Burundian leaders how such a dialogue might be established, possibly under United Nations auspices. He has maintained intense efforts to this end but has not yet been able to report substantial progress.

11. Members of the Council are aware that, on 19 January 1996, I met the former President of the United Republic of Tanzania, Mr. Julius K. Nyerere, who had visited Burundi at the end of 1995. Mr. Nyerere feared that the Government in Burundi could collapse and agreed with me that a major initiative was urgently needed. He was in favour of a broad-based dialogue that should include even extremists from both sides of the political spectrum in Burundi. He requested the support of the United Nations and the Organization of African Unity (OAU) and underlined the importance of the international community's active support for such an initiative.

12. I have since been pleased to learn from Mr. Nyerere that he has continued his talks with leaders in Burundi. During his most recent visit to the country, earlier this month, he tried to arrange a broad-based dialogue embracing all political factions. However, this proposal was not found acceptable by some of the leaders.

13. I understand that Mr. Nyerere intends to continue his efforts, as will my Special Representative. Should they report any significant progress, we shall all, of course, welcome it, and I shall immediately inform the Security Council.

IV. THE HUMANITARIAN SITUATION

14. In the light of the political and security situation outlined above, it is not surprising that the humanitarian situation in Burundi has deteriorated. The last two and a half years of political instability and conflict have undermined the economy, reducing still further the country's ability to emerge from its crisis. Private business and investment have plummeted, while agriculture, which accounts for nearly 90 per cent of economic activity, has been disrupted by population displacement and widespread insecurity. On top of this, foreign aid levels fell dramatically after the events of October 1993: preliminary figures for 1995 suggest that the level of overall assistance was only one third of that for 1992. Donors have indicated that the decline is likely to continue in 1996.

15. As a result of these dire economic conditions, humanitarian assistance and its associated services have become a major factor within the overall economy and a significant source of both relief and employment. Recently, however, humanitarian activities have been held hostage to political violence. As a result, the increasing needs generated by the ongoing conflict are matched by a corresponding decrease in the willingness and capacity of the international community to respond. Relief aid programmes in Burundi have to provide assistance to internally displaced persons and the few returnees who are repatriating from Zaire and the United Republic of Tanzania, as well as to Rwandan refugees.

16. Following a series of attacks against representatives of United Nations agencies, the International Committee of the Red Cross (ICRC) and non-governmental organizations (NGOs) in Burundi and the consequent suspension of most humanitarian operations, I requested the High Commissioner for Refugees, Mrs. Sadako Ogata, to travel to Bujumbura to see what measures could be taken to address the issue of insecurity and allow humanitarian organizations to function effectively. Her findings were summarized in my letter of 16 January 1996 to the President of the Security Council (S/1996/36). Further to this letter and to the Council's endorsement of her recommendations, I dispatched a technical team to Burundi from 27 January to 3 February 1996 to review the possible role United Nations guards could play in providing enhanced security to the humanitarian community.

17. The team, led by Mr. Charles Petrie of the Department of Humanitarian Affairs, travelled to Bujumbura and to the north-eastern province of Muyinga. Discussions were held with representatives of United Nations agencies, NGOs, OAU and donors. Although the team did not meet representatives of the Government of Burundi in Bujumbura, because of the strongly negative reaction of the Government to the concept of United Nations guards, it had substantive discussions with the Governor and the Military Commander of Muyinga Province.

18. In its report to me, the team concluded that, in the current context of violence and instability, United Nations guards would not be able to guarantee the security of humanitarian personnel in Burundi; indeed, in the present environment, the guards could themselves become potential targets for extremist groups, thus intensifying the security problems already faced by the international humanitarian effort.

19. Should a real process of genuine political dialogue begin, however, United Nations guards could play a significant role in helping to monitor the implementation of agreements reached by the opposing groups. By their physical presence and visibility in areas of unrest, they would demonstrate the international community's commitment to supporting this process and encourage both sides to honour their agreements. They could also play an important role in supporting and complementing the operations of the OAU military observers. Finally, the structures set up at the provincial levels by these guards would serve to reinforce the operations of the security committees agreed to by the Government of Burundi in discussions in January with my Special Envoy, Mrs. Ogata. Regrettably, these committees have not yet been set up.

20. While it is thus possible to envisage a role for United Nations guards, it will first be necessary to overcome significant opposition from the Government to the idea, as well as scepticism from the international humanitarian community in Burundi, including both the United Nations agencies and NGOs. Although the Government is still stating its opposition to the idea, indications have been received that it could be possible to pursue it at a later stage.

21. I accordingly see little point in pursuing the option of United Nations guards for the time being. However, since the technical team has reported that the deployment of such guards could be both desirable and feasible if the political situation improves, I intend to keep this option under constant review.

V. PREVENTIVE ACTION

22. The objective of the international community must be to prevent the escalation of present tensions in Burundi into full-scale civil war, ethnic violence and genocide. The risk of such developments in Burundi has been demonstrated by the events of October 1993 and earlier outbreaks of violence. Apart from the casualties and the human suffering another such catastrophe would entail, it would almost certainly lead to massive flows of refugees into neighbouring countries. This in turn would lead to further regional destabilization, as well as the expenditure of billions of dollars on humanitarian relief services over an extended period. The costs of preventive action must be examined in this context.

23. Preventive diplomacy should remain the preferred mode of conflict management and resolution, especially when the parties to a dispute are prepared to engage in a constructive dialogue to overcome their differences. However, in situations where a meaningful dialogue cannot be achieved and the conflict threatens to escalate along the lines mentioned in the preceding paragraph, preventive diplomacy alone may no longer be sufficient. It then becomes necessary to consider other steps of a preventive nature, including those with a military aspect, to persuade the parties to leave the path of confrontation.

24. It remains my belief that the situation in Burundi has reached this stage and that, less than two years after the genocide in Rwanda, the international community must not again be caught unprepared. Resolute preventive action should, therefore, be taken to minimize the risks of a similar tragedy in

Burundi. While every effort should continue to be made to convince the parties to engage in serious negotiations and mutual accommodation, the Security Council may at the same time wish to call on Member States to begin consultations on other options, in case it should become clear that pursuit of the political option is not sufficient to prevent a further deterioration of the situation.

25. I have reviewed some of the ideas put forward in this regard and, in light of the preliminary contingency planning undertaken by the Secretariat, I believe that it would be useful, at this stage, to consider the possibility of establishing a standby multinational force for humanitarian intervention. For this purpose, consultations would be undertaken by a group of countries with a proven rapid deployment capability, including some African countries. The aim would be for the countries concerned to earmark contingents for participation in the multinational force that would remain in their respective home countries but would be fully trained and equipped, so as to be ready for deployment at very short notice.

26. Once the initial consultations and planning had been completed, the Security Council could review the situation and, in the absence of significant progress in the political dialogue, decide to establish a multinational force. The Council could also decide to give prior authorization, on a contingency basis, for the deployment of the multinational force to Burundi in the event that ethnic violence erupts there on a large scale.

27. The proposed multinational force would be established under Chapter VII of the Charter of the United Nations and led by one Member State. This approach would seem to be necessary, as the Government of Burundi has indicated that it would not consent to any kind of foreign humanitarian operation with a military component on its territory. Moreover, the lessons drawn from the United Nations experience of the last few years in the former Yugoslavia, Somalia, Haiti and Rwanda suggest that, in situations where there is no consent and/or no peace to keep, better results are likely to be achieved through a multinational operation that can create the conditions for the subsequent deployment of a United Nations peace-keeping operation.

28. Should it become necessary to undertake a humanitarian military intervention in Burundi, its mandate would be to deter massacres, to provide security to refugees, displaced persons and civilians at risk and to protect key economic installations. The force would be deployed to selected areas of actual or potential confrontation.

29. Under a worst-case scenario, it is estimated that the force would require up to five brigade groups, representing a total of 25,000 troops. These troops would be deployed by strategic air and sea lift and would include parachute, motorized and mechanized units, light tanks, artillery and combat engineers, as well as logistic and administrative units. It is also estimated that there would be a requirement for force multipliers in the form of command, control and communications, close air support and attack helicopters.

30. All parties in Burundi would be clearly warned that any attack on the multinational force would draw an immediate and forceful response. At the same time, the parties would be advised that the operation had a strictly

humanitarian purpose and that it would therefore not engage in combat against them, as long as they did not seek to prevent it from implementing its mandate. Should the parties in Burundi decide not to adopt a hostile attitude, it would then be possible to reduce the force level significantly and only some of the units on standby would need to be deployed. It is estimated that, under such circumstances, 5,000 to 8,000 troops might suffice.

31. The deployment of a multinational force to Burundi would require staging areas in one or more of the neighbouring countries, which would be used to carry out the required training, coordination and integration of the various units prior to the launching of actual operations. Discussions with the neighbouring countries would therefore need to be initiated to ascertain their readiness to provide the necessary facilities for the multinational force.

32. The idea of preventive deployment suggested in my letter of 29 December 1995 (S/1995/1068) may also be considered in this context. Indeed, there may be some merit in advance deployment, in one of the neighbouring countries, of a force headquarters and of core logistics elements that would strengthen the rapid deployment capability of the multinational force. Such an advance deployment could enhance the credibility of the multinational force and underscore the resolve of the international community not to allow another genocide in the Great Lakes region.

33. The duration of such a humanitarian operation would of course depend on the speed with which the situation in the country could be stabilized. Once that had been achieved, the responsibility could be transferred to a United Nations peace-keeping mission under Chapter VI of the Charter, which would be given the task of maintaining the stability established by the multinational operation and of reactivating the political reconciliation process. This effort would need to be supported from the outset by a substantial programme to provide relief assistance, to strengthen basic State institutions (civil administration, judiciary and police) and to facilitate short-term economic rehabilitation and reconstruction.

34. Following the adoption of resolution 1040 (1996), I wrote to the Secretary-General of OAU, Mr. Salim Ahmed Salim, on 25 January, setting out the options that I had identified for major preventive action and which I had already communicated to the Security Council in my letters of 29 December 1995 and 16 January 1996 and in an oral briefing on 19 January. In an oral response to my letter, Mr. Salim recalled that the OAU Summit of June 1995 had seriously considered the option of military intervention if there should be a dramatic deterioration in the security situation in Burundi. This option was to be pursued in cooperation with the United Nations. Those whom he had consulted after receiving my letter had shared fully my concern that the international community should respond effectively to the threat of intensified internal conflict in that country. Such a response should not exclude, if circumstances so necessitated, the option of military intervention for humanitarian purposes.

35. In a meeting that I had with him on 14 February 1996, I outlined to Mr. Salim in greater detail the proposal that I would be making to the Security Council, stressing that its purpose was strictly humanitarian and that it was designed to forestall possible genocide and a massive exodus of refugees. It

would be more cost-effective, in both time and financial terms, to prepare such contingency plans and be ready with them than to start preparing them after the need for humanitarian intervention had actually arisen. Mr. Salim replied that while priority should be given to the political option, he believed that in the event of a dramatic deterioration of the situation, African countries would support intervention aimed at averting the type of disaster that had been experienced in Rwanda.

VI. CONCLUSIONS AND RECOMMENDATIONS

36. As members of the Council are aware, this report represents the fourth occasion in under seven weeks that I have brought the issue of Burundi to their attention. I have done this in the conviction that, whatever the criteria - political, security, humanitarian or economic - the situation in the country is desperately serious.

37. I fully share the view that the collective efforts of the international community should be deployed to encourage dialogue among all sections of the Burundian political spectrum. As mentioned in section II above, the efforts of the President and the Prime Minister have, to some extent, succeeded in calming the situation in the country somewhat. I myself as well as my Special Representative will continue to support their endeavours. OAU as well as others, including, in particular, Mr. Nyerere, could also play a significant role in promoting a dialogue. However, it would not be prudent, and would in fact not be responsible, for the international community to assume the success of these efforts and not prepare and plan for contingency measures to avoid a catastrophe. Such measures have to be planned to avoid a possible tragedy and not merely to deal with it after it has occurred.

38. As regards United Nations guards, the time is not yet ripe for their deployment, given the factors referred to in section IV above. However, I continue to believe that, should the political dynamics of confrontation change in favour of dialogue and should the Government agree to their deployment, the dispatch of a contingent of guards could be a useful measure. In the meantime, additional funds are urgently needed to strengthen existing inter-agency security mechanisms in Burundi. Member States are urged to respond generously to the requests which will be made to them in the coming days.

39. Any solution to the crisis in Burundi will depend on the combined political will of the parties in conflict and of the international community. It is the responsibility of the parties to find the strength and courage to embark on the path of mutual accommodation and national reconciliation. Despite the efforts of my Special Representative and others, in particular Mr. Nyerere, I regret to state that no significant progress has yet been achieved in the establishment of the broad-based political dialogue which, in my opinion and that of many others, including OAU, is the only way to achieve these goals.

40. I also regret that the international community failed to respond adequately to the recommendations of the two missions sent by the Security Council to Burundi in August 1994 and February 1995. I refer, in particular, to the technical, advisory and financial assistance that Member States could provide to

Burundi in its efforts to integrate more Hutus in the civil administration, the security forces and the judiciary system, to silence hate radios and to organize the crucial national debate. I also refer to the recommendation to impose selective measures on certain known extremists (denial of visas, freezing of foreign assets, etc.). Such measures, as well as the assistance referred to above, could have a very positive effect.

41. There is abundant evidence that the people of Burundi, particularly their leaders, pay attention to the words and actions of the Security Council. This is why those who want dialogue and coexistence have put their hopes in the Council. Pressure must be maintained on the political leaders and, although the Government's official response to my proposals for United Nations action remains negative, it is widely believed in Bujumbura that the consideration of strong steps by the Council is essential. In this connection, the international community - including the Council, individual donor countries and Burundi's neighbours - must act in a coherent and concerted way. If it does, the extremists on both sides will not be under any illusions that they can exploit perceived differences and continue to destabilize the country with impunity.

42. It is important to note that it is some of the Burundian military and their extremist allies who are most opposed to the concept of international intervention or preventive deployment. The challenge before the international community is whether to take an initiative that is welcomed by those who want peace or whether to allow the extremists to retain their veto over effective international action.

43. While preventive diplomacy is always the preferred course of action, there are some situations when it must be backed by a credible threat to use force, in order to stave off humanitarian disaster. I am convinced that an assertive approach involving contingency planning by some Member States, as recommended in section V above, would improve the chances of convincing the parties in Burundi to show more flexibility, thereby obviating the need for direct military involvement by the international community.

44. Much has been said about the need for preventive diplomacy in the post-cold-war era. The Security Council itself has been at the forefront in urging the United Nations to concentrate more on preventive work. Burundi is a test case for the United Nations ability to take such action. Indeed it could even contribute to the continuing search for a workable system of collective security at a time when civil wars and ethnic conflicts are becoming increasingly frequent.

45. The warning signs in Burundi have been with us for some time. If another tragedy befalls the Burundian people and the international community again proves to be unprepared, despite all the warnings, it will cause untold human suffering and gravely damage the credibility of the United Nations. It is in this spirit that I present my recommendations to the Security Council.